



The Commonwealth of Massachusetts

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.T.E. 04-52

June 9, 2004

Investigation by the Department of Telecommunications and Energy on its own motion as to the propriety of the rates and charges set forth in the following tariffs: Berkshire Gas Company, M.D.T.E. Nos. 343 through 349, filed on May 14, 2004, to become effective September 1, 2004.

On May 14, 2004, the Berkshire Gas Company ("Company") submitted its first annual price cap mechanism rate adjustment filing, pursuant to the performance-based ratemaking plan approved by the Department of Telecommunications and Energy ("Department") in Berkshire Gas Company, D.T.E. 01-56 (2002). This filing was docketed as D.T.E. 04-52.

The Company proposes an increase in normalized revenues of \$252,197, which amounts to a base revenue increase of 0.92 percent. If the Department approves the Company's proposal, the proposed rates will result in:

- an increase of \$0.44 per month for residential gas non-heating customers using 20 therms per month in the winter season; and
- an increase of \$0.90 per month for residential gas heating customers using 150 therms per month in the winter season.

Bill impacts for commercial and industrial customers will vary. For specific impacts, please contact the Company as indicated below. The Company has requested that the proposed rate increase take effect on September 1, 2004.

The proposed rate adjustment includes an exogenous cost recovery factor that the Company states is related to the cost of upgrading the Company's telephone system to comply with a change in the Department's regulatory policy applicable to gas companies in Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84 (2001), as well as the cost of security measures required to be implemented after the events of September 11, 2001.

All interested persons wishing to submit comments on the filing must submit one (1) original and eight (8) copies with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy. The original and copies must be delivered to the Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110, no later than 5:00 p.m. on **Wednesday, June 30, 2004**. Reply comments will be due on **Monday, July 12, 2004**. One copy of all written comments should also be sent to the Company's attorney, James M. Avery, Esq.; Brown Rudnick Berlack Israels, LLP, One Financial Center, Boston, MA 02111, tel. 617-856-8112.

All written comments should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us and Jesse.Reyes@state.ma.us; or (2) on a 3.5" disk. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding, D.T.E. 04-52; (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Corel WordPerfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dpu>.

The Company's filing may be inspected at the Department's office during normal office hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.). Any person desiring further information regarding the Company's filing should contact the Company's attorney, James M. Avery, Esq., at the address or telephone number above.